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MAR 16 2004

DIRECTOR'S OFFICE
TECHNOLOGY CENTER 3600

In re application of
William C. O'Neil, Jr. et al.
Application No. 09/703,562
Filed: November 1, 2000
For: METHOD AND SYSTEMS FOR APPLYING
REBATES TO HIGHER EDUCATION

: DECISION ON PETITION
: TO MAKE SPECIAL
: (ACCELERATED
: EXAMINATION)

This is in response to the petition filed on August 4, 2003 to make the above-identified application special on the basis of special examining procedure for certain new applications - accelerated examination as set forth in MPEP § 708.02 VIII. The delay in acting on this petition is regretted.

The petition is **DISMISSED**.

The requirements for granting special status under this section are: (A) a petition to make special accompanied by the fee set forth in 37 CFR 1.17(i); (B) all claims being directed to a single invention, or an election without traverse if the Office determines that all the claims are not directed to a single invention; (C) a statement that a pre-examination search was made listing the field of search; (D) one copy of each of the references deemed most closely related to the subject matter encompassed by the claims if said references are not already of record; and (E) a detailed discussion of how the claimed subject matter is patentable over the references in accordance with 37 CFR 1.111 (b) and (c).

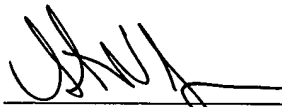
The petition filed August 4, 2003 fails to adequately meet requirements (C) and (E) above. With regard to requirement (C) a statement that a pre-examination search was made and *a specific listing of the field of search, including classes and subclasses used in the pre-examination search* is required. As to requirement (E) the petition lacks a detailed discussion of how the claimed subject matter is patentable over the references. The detailed discussion of each reference includes the statement "This patent does not teach distribution of monies to higher education accounts". However, this claim language is not found in independent claims 35 and 43.

SUMMARY: Petition to Make Special **DISMISSED**.

Petitioner is given one more opportunity to perfect the petition. Any request for reconsideration must be filed within TWO MONTHS of the date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted.

Applicant should promptly submit a renewed petition to the Commissioner of Patents and Trademarks, Washington, D.C. 20231. The envelope should indicate that the correspondence be brought to the attention of Technology Center 3600.

Until the renewed petition is submitted, the application will be returned to the examiner's docket to await treatment on the merits in the normal order of examination.



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SNM/mjz: 3/4/04